IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.524 of 2005

Shri.P.S.Papaiha .. Petitioner
Vs.
Union of India & Ors. .. Respondents

Mr.A.P.Vanarse for the Petitioner.
Ms.Anamika Malhotra for Respondents.

CORAM: B.H.MARLAPALLE & NARESH H.PATIL,JJ.
September 20, 2006.

P.C.

. Heard Mr.Vanarse, who is aggrieved by the decision of the Central Administrative Tribunal in O.A.No.130 of 2001. The said O.A. was filed by the petitioner and it has been dismissed by the Learned Member of the Tribunal on 30/03/2004.

. The petitioner was working with the Central Vehicle Depot from 28/01/1949 to 31/03/1969 as a Mazdoor and on account of disbanment, his services were terminated on 01/04/1969. He was subsequently re-employed after about 4 1/2 months from 14/07/1969 and retired on 31/01/1980. He approached the Tribunal for pensionary benefits. The Tribunal noted that the petitioner had exercised his option for pensionary benefits on 14/10/1964 (during tenure of his service) and again on 11/04/1969 ((during tenure of his service) to continue in the existing CPF

benefit. The service book showed that he was a member of CPF scheme and had I.O.F.W.P. Fund Account No.65505. The service book also carried an entry showing that an amount of Rs.1,860/- was paid to him as a retirement compensation from 31/03/1969. It was further shown that on 24/11/1969 he was paid an amount of Rs.3,032.75 towards CPF benefits. Under these circumstances, the Tribunal reached the conclusion that there is no pensionary benefit for the service rendered at the Central Vehicle Depot, Dehu Road, Pune as he has already collected the C.P.F. benefits.

. The view taken by the Tribunal cannot be said to be perverse and patently erroneous so as to call for interference in our supervisory jurisdiction and hence the challenge to the impugned order fails at the threshhold.

. The peition is rejected summarily.

(NARESH H. PATIL,J.) (B.H.MARLAPALLE